

**MINUTES OF THE
ADMINISTRATIVE RULES REVIEW COMMITTEE**
Monday, December 1, 2008 – 2:00 p.m. – Room C445 State Capitol

Members Present:

Sen. Howard A. Stephenson, Senate Chair
Sen. Gene Davis
Sen. Mark B. Madsen
Sen. Michael G. Waddoups
Rep. James R. Gowans
Rep. Kory M. Holdaway
Rep. Carol Spackman Moss
Rep. Merlynn T. Newbold

Members Excused:

Rep. Ben C. Ferry, House Chair
Sen. Mike Dmitrich

Staff Present:

Mr. Arthur L. Hunsaker, Policy Analyst
Ms. Susan Creager Allred, Associate General Counsel
Ms. Tracey Fredman, Legislative Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Committee Business

Chair Stephenson called the meeting to order at 2:14 p.m.

MOTION: Sen. Davis moved to approve the minutes of the November 17, 2008 meeting. The motion passed unanimously.

2. Catering at the Capitol Complex

Staff distributed "R131-2-6 General Requirements for Use of the Capitol Hill Complex."

Sen. Madsen introduced the issue and explained that the current rule requires any group serving food in a public space at the Capitol Complex to use the catering service that has contracted with the Capitol Preservation Board to be the sole catering provider.

Mr. David Hart, Executive Director, Capitol Preservation Board, distributed the draft "R131-2 Capitol Hill Complex Facility Use" which highlights proposed changes to the rule. Mr. Hart reviewed reasons for the rule and said that the Capitol Preservation Board's subcommittee which reviewed the issue in depth does not feel that allowing outside caterers is the best use of tax dollars at this time.

Senator Carlene M. Walker and Representative Wayne A. Harper, Members of the Capitol Preservation Board, spoke in support of the current rule.

Ms. Symbria Patterson, George Wythe University, commented on the confusion over the catering rule when George Wythe University held an event in the Capitol in March 2008.

Ms. Mary Crafts, Co-Owner, Culinary Crafts, discussed the increased number of people who would use the State Capitol for their events if outside caterers were able to provide services in the Capitol.

The Committee discussed potential changes to the rule and requested that the Capitol Preservation Board appear at a future meeting when a new draft of the rule is ready.

3. Rules Not Filed in a Timely Manner

Ms. Jane Lewis, Program Administrator, and Ms. Carol Miller, Program and Support Specialist, Child and Family Services, reported that the rule had been filed earlier in the day. Ms. Lewis explained the process of preparing the rule and why it was filed late.

Mr. Ken Hansen, Director, Division of Administrative Rules, said that each department is responsible for determining if the statutes pertaining to their area of responsibility require rulemaking. He suggested that flagging a bill during the drafting process may be a satisfactory solution to the problem of alerting departments to the need for rule drafting.

Sen. Stephenson asked staff to suggest flagging the bills requiring rulemaking and to report back at a future meeting.

4. Committee Business

Future meetings were scheduled for January 2 and January 16, 2009.

5. Adjourn

MOTION: Sen. Davis moved to adjourn the meeting. The motion passed unanimously.

Chair Stephenson adjourned the meeting at 4:15 p.m.